

**Osha & May**

www.oshamay.com

One Houston Center • Suite 2800
1221 McKinney Street
Houston, Texas 77010
Tel 713.228.8600
Fax 713.228.8778

Fax**BEST AVAILABLE COPY****RECEIVED
CENTRAL FAX CENTER****FEB 08 2005****8****Date:** February 7, 2005**File:** 13220/013001**To:** Examiner Harold E. Dodds, Jr.**No:** 4-703-672-9306-1 571 273 4110**From:** Robert P. Lord, Reg. No. 46,479
Seema S. Mehta, Reg. No. 56,235**Re:** Examiner Interview of February 8, 2005 at 3:30 PM (EST) for
U.S. Patent App. Serial No. 09/993,937, filed November 6, 2001 by Merrells et al.**Pages (including cover sheet): 2**☐ **URGENT!**☐ **Please Reply**☐ **Please Review
& Comment**☒ **For Your
Information****● COMMENTS:**

Dear Examiner Dodds:

Please find attached a summary of issues I hope to discuss with you during the scheduled Examiner Interview of February 8, 2005.

I look forward to speaking with you.

Regards,

Seema Mehta
Osha & May L.L.P.**CONFIDENTIALITY NOTICE**

This document (including any attachments) may contain privileged or confidential information. In the event that this document has been sent to you in error, or otherwise has been misdirected, please call the sender COLLECT at (713) 228-8600 to arrange for its prompt return or destruction. Your cooperation is greatly appreciated.

BEST AVAILABLE COPY Application Serial No. 09/993,937**SUMMARY OF ISSUES TO DISCUSS DURING EXAMINER INTERVIEW**

Date of Interview: FEBRUARY 8, 2005 AT 3:30 PM (EST)

Attendants: Robert P. Lord and Seema M. Mehta

The Applicant respectfully asserts that U.S. Patent No. 6,272,536 ("Hoff") does not teach the following claim elements:

a replica update vector used to determine a minimal set of updates necessary to
synchronize the consumer server with respect to the supplier server.

The above claim elements require determining a *minimal* set of updates, where the minimal set is the smallest possible set of updates required to synchronize two servers.

In contrast, the portion of Hoff cited by the Examiner addresses an optimized update request, where the optimized update request may be a "lot smaller" than the original update request solely due to the replacement of the channel index with the checksum of the channel index. Reducing the size of a request is not the same as determining a minimal set of updates. The Applicant respectfully asserts that there is no teaching of *determining a minimal* set of updates. Rather, the optimized update request in Hoff happens to be smaller in size if the checksum of the channel index happens to be smaller than the actual channel index.

ATTORNEY-CLIENT PRIVILEGE